

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA**

IN RE: BARD IVC FILTERS  
PRODUCTS LIABILITY LITIGATION

No. MD-15-02641-PHX-DGC  
MDL 2641

**AMENDED MASTER SHORT FORM  
COMPLAINT FOR DAMAGES FOR  
INDIVIDUAL CLAIMS**

Plaintiff(s) named below, for their Complaint against Defendants named below, incorporate the Master Complaint in MDL No. 2641 by reference (Doc 364). Plaintiff(s) further show the Court as follows:

1. Plaintiff/Deceased Party:

Martin C. Colman

2. Spousal Plaintiff/Deceased Party's spouse or other party making loss of consortium claim:

N/A

3. Other Plaintiff and capacity (i.e., administrator, executor, guardian, conservator):

N/A

4. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at the time of implant:

California

5. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at the time of injury:

California

6. Plaintiff's current state(s) [if more than one Plaintiff] of residence:

California

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7. District Court and Division in which venue would be proper absent direct filing:

United States District Court for the Central District of California

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8. Defendants (check Defendants against whom Complaint is made):

- C.R. Bard Inc.  
 Bard Peripheral Vascular, Inc.

9. Basis of Jurisdiction:

- Diversity of Citizenship

Other: \_\_\_\_\_

- a. Other allegations of jurisdiction and venue not expressed in Master Complaint:

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10. Defendants' Inferior Vena Cava Filter(s) about which Plaintiff(s) is making a claim (check applicable Inferior Vena Cava Filter(s)):

- Recovery® Vena Cava Filter  
 G2® Vena Cava Filter  
 G2® Express (G2®X) Vena Cava Filter  
 Eclipse® Vena Cava Filter  
 Meridian® Vena Cava Filter

- Denali® Vena Cava Filter  
 Other: \_\_\_\_\_

11. Date of Implantation as to each product:

03/24/2011

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12. Counts in the Master Complaint brought by Plaintiff(s):

- Count I: Strict Products Liability – Manufacturing Defect  
 Count II: Strict Products Liability – Information Defect (Failure to Warn)  
 Count III: Strict Products Liability – Design Defect  
 Count IV: Negligence - Design  
 Count V: Negligence - Manufacture  
 Count VI: Negligence – Failure to Recall/Retrofit  
 Count VII: Negligence – Failure to Warn  
 Count VIII: Negligent Misrepresentation  
 Count IX: Negligence *Pro Se*  
 Count X: Breach of Express Warranty  
 Count XI: Breach of Implied Warranty  
 Count XII: Fraudulent Misrepresentation  
 Count XIII: Fraudulent Concealment  
 Count XIV: Violations of Applicable California (insert state) Law Prohibiting Consumer Fraud and Unfair and Deceptive Trade Practices  
 Count XV: Loss of Consortium

- Count XVI: Wrongful Death  
 Count XVII: Survival  
 Punitive Damages  
 Other(s): \_\_\_\_\_ (please state the facts supporting this Count in the space, immediately below)

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RESPECTFULLY SUBMITTED this 11th day of January, 2019.

**MURPHY LAW FIRM, LLC**

/s/ Peyton P. Murphy  
PEYTON P. MURPHY (LA Bar #22125)  
(admitted *pro hac vice*)  
2354 S. Acadian Thruway  
Baton Rouge, LA 70808  
Telephone: (225) 928-8800  
Facsimile: (225) 246-8780  
Email: [Peyton@MurphyLawFirm.com](mailto:Peyton@MurphyLawFirm.com)

TODD C. COMEAUX (LA Bar #23453)  
TODD C. COMEAUX, LLC.  
4880 Bluebonnet Boulevard, Suite A  
Baton Rouge, LA 70809  
Telephone: (225) 706-9000  
Facsimile: (225) 706-9001  
Email: [TC@ComeauxLawFirm.com](mailto:TC@ComeauxLawFirm.com)  
*Attorneys for Plaintiffs*

**CERTIFICATE OF SERVICE**

I hereby certify on this 11th day of January, 2019, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing.

*/s/ Peyton P. Murphy*  
Peyton P. Murphy (LA Bar #22125)